

DFW



PATENT  
Customer No. 22,852  
Attorney Docket No. 7552.0029

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
 )  
Roberto NERI ) Group Art Unit: 3762  
 )  
Application No.: 10/804,147 ) Examiner: Robert H. Spitzer  
 )  
Filed: March 19, 2004 )  
 )  
For: A DEVICE FOR PROTECTING ) Confirmation No.: 3611  
MEDICAL APPARATUS )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 C.F.R. § 1.97(b)**

This Second Supplemental Information Disclosure Statement is being filed in addition to the Supplemental Information Disclosure Statement filed on February 4, 2005, and the Information Disclosure Statement filed on July 20, 2004. Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents on the attached listing. To the knowledge of the undersigned, this Second Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A copy of the listed foreign non-patent literature document is attached.

Applicant respectfully requests that the Examiner consider the listed document and indicate that it was considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such document.

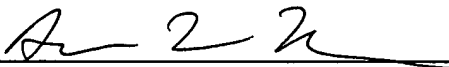
Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 26, 2005

By:   
Aaron L. Parker  
Reg. No. 50,785

Complete if Known

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/804,147

Filing Date

March 19, 2004

First Named Inventor

Roberto NERI

Art Unit

3762

Examiner Name

Robert H. Spitzer

Attorney Docket Number

7552.0029

## U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				

## NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		International Preliminary Report on Patentability for International Application No. PCT/IB2004/000763	

Examiner  
SignatureDate  
Considered